

BEFORE THE
POLLUTION CONTROL HEARINGS BOARD
STATE OF WASHINGTON

IN THE MATTER OF G & B)
SHAKE AND SHINGLE CO., INC.)
Appellant,)
vs.)
OLYMPIC AIR POLLUTION)
CONTROL AUTHORITY,)
Respondent.)

PCHB No. 314

FINDINGS OF FACT,
CONCLUSIONS AND ORDER

A formal hearing on the appeal of G & B Shake and Shingle Co., Inc. to a Notice of Civil Penalty of \$250.00 for an alleged smoke emission violation came on before the Board, all members present, with Walt Woodward presiding in Lacey, Washington on June 14, 1973.

Appellant appeared by and through Miss Virginia A. Schneider; respondent appeared by and through its attorney, Fred Gentry.

Having heard the testimony and being fully advised, the board makes the following:

FINDINGS OF FACT

I.

The G & B Shake and Shingle Co., Inc. is engaged in the manufacture of cedar shakes near Port Angeles, Clallam County, Washington. Miss Schneider acquired the shake plant from its previous owner in June of 1972. The silo type wood-waste burner was in a state of disrepair.

II.

On February 21, 1973, appellant caused or allowed smoke to be emitted from its wood-waste burner for 79 minutes during an 80 minute period of a shade darker than Number 2 on the Ringelmann Chart, namely, a Ringelmann 3.

III.

Section 10.01.1(a) of respondent's Regulation 1 makes it unlawful to cause or allow the emission of an air contaminant for more than 15 minutes of any consecutive 8 hours of a gas stream which is darker in shade than that designated as Number 2 on the Ringelmann Smoke Chart.

IV.

Appellant has expended \$14,000.00 in the repair and reconstruction of the burner and has now developed the best burner for smoke emission control which is under the authority of respondent's jurisdiction.

From which comes these

CONCLUSIONS OF LAW

I.

Appellant was in violation of Section 10.01 of respondent's Regulation 1.

FINDINGS OF FACT,
CONCLUSIONS AND ORDER

1 II.

2 Appellant has been most cooperative with respondent in its efforts
3 to control and minimize air pollution and no useful purpose would be
4 served by imposing a maximum civil penalty.

5 From which comes the following

6 ORDER

7 The appeal is denied, but the civil penalty is suspended if
8 appellant does not violate respondent's Regulation 1 for six months
9 from the date of this order.

10 DONE at Lacey, Washington this 3rd day of July, 1973.

11 POLLUTION CONTROL HEARINGS BOARD

12 Walt Woodward
13 WALT WOODWARD, Chairman

14 W. A. Gissberg
15 W. A. GISSBERG, Member

16 James T. Sheehy
17 JAMES T. SHEEHY, Member

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26 FINDINGS OF FACT,
27 CONCLUSIONS AND ORDER